

CHAPTER 1060

SCHOOL BOARD MEMBERS

H. F. 1032

AN ACT relating to resignations of school board members.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred seventy-nine point six (279.6),
 2 Code 1971, is amended to read as follows:
 3 **279.6 Vacancies filled by board—qualification—tenure.** Vacancies
 4 occurring among the officers or members of a school board shall be
 5 filled by the board by appointment. A person so appointed to fill a
 6 vacancy in an elective office shall hold until the organization of the
 7 board the third Monday in September immediately following the next
 8 regular election and until his successor is elected and qualified. A
 9 person appointed to fill a vacancy in an appointive office shall hold such
 10 office for the residue of the unexpired term and until his successor is
 11 appointed and qualified. Any person so appointed shall qualify within
 12 ten days thereafter in the manner required by section 277.28.

13 *However, if a member of a school board resigns from the board*
 14 *prior to the time for filing nomination papers for office as a school*
 15 *board member, as provided in section 277.4, and he specifies in his res-*
 16 *ignation that the resignation will be effective on the date the next*
 17 *term of office for elective school officials begins, the president of the*
 18 *board shall declare the office vacant as of that date and nomination pa-*
 19 *pers shall be received for the unexpired term of the resigning mem-*
 20 *ber. The person elected at the next regular school election to fill the*
 21 *vacancy shall take office at the same time and place as the other elected*
 22 *school board members.*

Approved March 24, 1972.

CHAPTER 1061

MERGED SCHOOL AREAS

S. F. 1059

AN ACT relating to the authority of merged areas to borrow money in anticipation of the collection of a voted tax for school facilities.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred eighty A point twenty-two
 2 (280A.22), Code 1971, is amended to read as follows:
 3 **280A.22 Additional tax.** In addition to the tax authorized under
 4 section 280A.17, the voters in any merged area may at the annual
 5 school election vote a tax not exceeding three-fourths mill on the dollar
 6 in any one year for a period not to exceed five years for the purchase
 7 of grounds, construction of buildings, payment of debts contracted for
 8 the construction of buildings, purchase of buildings and equipment for
 9 buildings, and the acquisition of libraries, and for the purpose of

10 maintaining, remodeling, improving, or expanding the area vocational
11 school or area community college of the merged area *which tax shall be*
12 *collected by the county treasurers and remitted to the treasurer of the*
13 *merged area as other taxes are collected and remitted, and the pro-*
14 *ceeds of said tax shall be deposited in a separate and distinct fund to*
15 *be known as the voted tax fund, to be paid out upon warrants drawn*
16 *by the president and secretary of the board of directors of the merged*
17 *area district for the payment of costs incurred in providing the school*
18 *facilities for which the tax was voted.*

19 *In order to make immediately available to the merged area the pro-*
20 *ceeds of the voted tax hereinbefore authorized to be levied, the board*
21 *of directors of any such merged area is hereby authorized, without the*
22 *necessity for any further election, to borrow money and enter into loan*
23 *agreements in anticipation of the collection of such tax, and such*
24 *board shall, by resolution, provide for the levy of an annual tax, within*
25 *the limits of the special voted tax hereinbefore authorized, sufficient*
26 *to pay the amount of any such loan and the interest thereon to matu-*
27 *urity as the same becomes due. A certified copy of this resolution shall*
28 *be filed with the county auditors of the counties in which such merged*
29 *area is located, and the filing thereof shall make it a duty of such*
30 *auditors to enter annually this levy for collection until funds are*
31 *realized to repay the loan and interest thereon in full. Said loan must*
32 *mature within the number of years for which the tax has been voted*
33 *and shall bear interest at a rate or rates not exceeding seven percent*
34 *per annum. Any loan agreement entered into pursuant to authority*
35 *herein contained shall be in such form as the board of directors shall*
36 *by resolution provide and the loan shall be payable as to both prin-*
37 *cipal and interest from the proceeds of the annual levy of the voted*
38 *tax hereinbefore authorized, or so much thereof as will be sufficient*
39 *to pay the loan and interest thereon. In furtherance of the foregoing*
40 *the board of directors of such merged area may, with or without*
41 *notice, negotiate and enter into a loan agreement or agreements with*
42 *any bank, investment banker, trust company, insurance company, or*
43 *group thereof, whereunder the borrowing of the necessary funds may*
44 *be assured and consummated. The proceeds of such loan shall be*
45 *deposited in a special fund, to be kept separate and apart from all*
46 *other funds of the merged area, and shall be paid out upon warrants*
47 *drawn by the president and secretary of the board of directors to pay*
48 *the cost of acquiring the school facilities for which the tax was voted.*

49 *Nothing herein contained shall be construed to limit the authority*
50 *of the board of directors to levy the full amount of the voted tax, but*
51 *if and to whatever extent said tax is levied in any year in excess of*
52 *the amount of principal and interest falling due in such year under*
53 *any loan agreement, the first available proceeds thereof, to an amount*
54 *sufficient to meet maturing installments of principal and interest*
55 *under the loan agreement, shall be paid into the sinking fund for such*
56 *loan before any of such taxes are otherwise made available to the*
57 *merged area for other school purposes, and the amount required to be*
58 *annually set aside to pay the principal of and interest on the money*
59 *borrowed under such loan agreement shall constitute a first charge*
60 *upon all of the proceeds of such annual special voted tax, which tax*
61 *shall be pledged to pay said loan and the interest thereon.*

62 *This law shall be construed as supplemental and in addition to exist-*
63 *ing statutory authority and as providing an independent method of*

64 *financing the cost of acquiring school facilities for which a tax has*
 65 *been voted under this section and for the borrowing of money and*
 66 *execution of loan agreements in connection therewith and shall not be*
 67 *construed as subject to the provisions of any other law. The fact that*
 68 *a merged area may have previously borrowed money and entered into*
 69 *loan agreements under authority herein contained shall not prevent*
 70 *such merged area from borrowing additional money and entering into*
 71 *further loan agreements provided that the aggregate of the amount*
 72 *payable under all of such loan agreements does not exceed the proceeds*
 73 *of the voted tax. All acts and proceedings heretofore taken by the*
 74 *board of directors or by any official of any merged area for the exer-*
 75 *cise of any of the powers granted by this section are hereby legalized*
 76 *and validated in all respects.*

1 SEC. 2. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in The Sioux
 3 City Journal, a newspaper published in Sioux City, Iowa, and in The
 4 Denison Bulletin, a newspaper published in Denison, Iowa.

Approved April 22, 1972.

I hereby certify that the foregoing Act, Senate File 1059, was published in The Sioux City Journal, Sioux City, Iowa, April 28, 1972, and in The Denison Bulletin, Denison, Iowa, May 2, 1972.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 1062

PUBLIC INSTRUCTION DEPARTMENT APPROPRIATION

S. F. 1091

AN ACT making an appropriation to the department of public instruction for the purpose of participating in certain federal programs.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is appropriated from the general fund of the
 2 state to the department of public instruction for the fiscal year com-
 3 mencing July 1, 1972, and ending June 30, 1973 the sum of five hun-
 4 dred seventy-five thousand (575,000) dollars, or so much thereof as
 5 may be necessary, for the purpose of providing assistance to the school
 6 districts of the state in the breakfast, lunch, and minimal equipment
 7 programs.

1 SEC. 2. The funds appropriated by this Act shall be used as state
 2 matching funds for federal programs and shall be disbursed according
 3 to federal regulations.

1 SEC. 3. Any unencumbered or unobligated balance of funds appro-
 2 priated by this Act existing on July 1, 1973 shall revert to the general
 3 fund of the state on December 31, 1973.

1 SEC. 4. Section two hundred eighty-three A point two (283A.2),
 2 Code 1971, is amended to read as follows:
 3 283A.2 School boards. School boards shall have power to operate
 4 or provide for the operation of school lunch programs in schools under